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Attorneys for Defendant and Cross-Complainant
 Z-MAN FISHING PRODUCTS, INC.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

APPLIED ELASTOMERICS,
 INCORPORATED, a California corporation

Plaintiff,

v.

Z-MAN FISHING PRODUCTS,
 INCORPORATED, a South Carolina
 corporation

Defendant.

AND RELATED COUNTERCLAIMS

Case No. C06-2469 CW

STIPULATION RE CHANGING
 HEARING DATES ON THE PARTIES'
 PENDING MOTIONS AND THE DATE
 OF THE PARTIES' CASE
 MANAGEMENT; ORDER

Honorable Claudia Wilkin

Trial Date: None Set

Plaintiff and Counter-Defendant Applied Elastomerics, Incorporated ("AEI") and
 Defendant and Counter-Complainant Z-Man Fishing Products, Incorporated ("Z-Man"), through
 their respective attorneys and pursuant to the Court's Local Rule 6-2, hereby submit as follows:

1. WHEREAS, Z-Man filed a motion to transfer venue on September 1, 2006 which
 was originally noticed to take place on October 6, 2006;

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1 2. WHEREAS on September 5, 2006, the Court, by way of its Clerk's Notice
2 Continuing Case Management Conference, continued the parties' Case Management Conference
3 which had been set for September 8, 2006 to October 6, 2006;

4 3. WHEREAS, AEI filed a motion to dismiss pursuant to Federal Rule of Civil
5 Procedure 9(b) and 12(b)(6) on September 14, 2006 which was noticed to take place on October
6 20, 2006;

7 4. WHEREAS, on September 27, 2006, this Court by way of its Clerk's Notice
8 Continuing Motion Hearing and Case Management Conference rescheduled the hearing date on Z-
9 Man's motion to transfer and the parties' Case Management Conference from October 6, 2006 to
10 October 20, 2006,

11 5. WHEREAS Z-Man's lead trial counsel, Patrick Hagan, has a European vacation
12 scheduled to take place from October 10, 2006 through October 26, 2006 that was scheduled well
13 in advance of the original filing of either Z-Man's motion to transfer or AEI's motion to dismiss;

14 6. WHEREAS on April 27, 2006, Z-Man filed the parties' Stipulation Re Extending
15 Time to File Responsive Pleading wherein the parties had stipulated to provide Z-Man with an
16 additional 20 days within which to respond to AEI's Complaint; and

17 7. WHEREAS the stipulation will not have any affect on the schedule for the case.

18 IT IS HEREBY STIPULATED between AEI and Z-Man that the hearing date on the
19 parties' pending motions and the date of the parties' Case Management Conference be
20 rescheduled from October 20, 2006 at 10:00 a.m. to November 3, 2006 at 10:00 a.m. It is further
21 stipulated that AEI's reply to Z-Man's opposition to its motion to dismiss shall be filed on or
22 before October

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1 10, 2006. Except as so stipulated, the previous briefing schedule remains in effect.

2 Dated: September 28, 2006

MORRISON & FOERSTER, LLP

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4 By: /S/ JILL NEIMAN
JILL NEIMAN
5 Attorneys for Plaintiff and Counter-Defendant
6 Applied Elastomerics, Inc.

7 Dated: September 28, 2006

DILLINGHAM & MURPHY

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9 By: /S/ MARK ROGERS
10 MARK J. ROGERS
11 Attorneys for Defendant and Counter-Complainant
Z-Man Fishing Products, Inc.

12 IT IS SO ORDERED.

13 10/2/06

14 Dated: _____



15 HONORABLE CLAUDIA WILKEN
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